ELMHURST GETS A BURGLAR

DONE WITH CITIZEN GREGG'S GUN BEFORE THE POLICE CAME.

Continuous Burglary Performance in

Armed with a .44 calibre revolver former District Attorney George A. Gregg of Queens county, backed by half the population of Elmhurst, L. I., yesterday rning rounded up and captured a burglar who was leisurely making a daylight raid on the home of Prof. George H. Kingsbury, who with his family is spending his vacation at Winton, N. Y.

The police appeared after the burglar, surrounded by excited villagers and subdued by Mr. Gregg's beavy artil-

Inspection of the Kingsbury home showed that thieves had been carrying off portable articles of value piecemeal. The dress suit cases the prisoner was seen carrying were found in the nouse packed with valuables.

STATE COURT VOIDS U. S. LAW. Says Congress Exceeded Powers in Employers' Liability Act.

NEW HAVEN, July 21.- In the case of necticut was made public to-day con-struing an act of Congress approved April 22, 1908, relating to the liability of common carriers engaged in interstate necticut was made public to-day connmon carriers engaged in interstate nerce as unconstitutional.

The action was brought by an inhabitant of this State to the Superior Court in New London in consequence of an injury received in Auburn, Mass., while coupling cars on a train running from cester to Norwich. It was alleged that the injury was due to the negligence of a fellow servant in charge of a train.

A demurrer to the complaint was sustained by Judge Ralph Wheeler and judgment rendered for the defendant. Chief Justice Baldwin in his opinion, the unanimous opinion of the court, declared that the act of Congress creates a statutory right of action, one not existing at common

right of action, one not existing at common law nor in chancery.

It is one which if warranted by the Constitution of the United States may, under general laws regulating the jurisdiction of the Circuit courts of the United States whenever damages exceeding \$2,000 are alleged, be made the subject of judicial proceedings in the courts of the United States as a suit of a civil nature arising under the laws of the United States without reference to the citizenship of the parties.

nip of the parties.

Chief Justice Baldwin's opinion rested

Inder it in the courts of the States.

It had no power to make it incumbent on the State courts to assume jurisdiction of such an action.

The issues before the Superior Court involved the consideration of these points, which justified of themselves the dismissal of the plaintiff's action.

CUSTOM'S COMMANDERS.

Officers Named for the New Drilled Force of Night Watchmen.

The officers of the new force of custom nen who were sworn in yesterday will be Deputy Surveyor William Lutz, captain; lieutenants, Robert L. L. Warner, William S. Goodwin and Henry L. Burnier; men, Jonathan H. Case, Clark K. Rogers, Angus C. Bissell, Philip McDonnell, Adolph Cohn, Robert E. Ford, Henry G. Spencer, Edward T. Heigans, Jacob Sanger, Daniel O'Donnell, George Lustig and John Freed.

Collector Loeb announced that through the reorganization of several branches of the service, including primarily that of the night inspectors, who are now designated night watchmen, he will have saved the Government \$25,000 a year.

CHINESE AND COREANS FIGHT.

The 26 Men in Hospitals at Merida May Die Troops on Guard.

MERIDA, Yucatan, July 21.- The enmity stween the Chinese and Coreans in this city culminated last night in a battle between the two nationalities in the Chinese quarter. It was necessary to call out troops from the barracks before son by a Policeman. call out troops from the barracks before order was restored, the gendarmes and rurales being powerless.

Troops are patrolling the Chinese quarter to-day and seventeen Chinese and nine Coreans are in hospitals in a serious condition. Over 400 men participated in the riot and clubs, revolvers, traives and guns were used.

knives and guns were used.

Over 200 were wounded, but the twentysix in the hospitals may not recover.

JEWEL CASKET CAME BACK.

Jeweis in It—Strangely Replaced in House Where It Was Stolen.

Ottawa, July 21.—Jewelry worth \$7,000 was stolen between Wednesday and Sunday from Mrs. Boak of Chicago while she was visiting her mother, Mrs. Donley of Coburg, Ont. Yesterday the jewel casket, containing all the jewels, bracelets, diamond pins and brooches and fleur de lis ornaments, was mysteriously returned.

It was placed in the string local and local and

no one knows how. The detectives have consed investigating.

ELWOOD, Ind., July 21.-The American Sheet Tin Plate Company has asked Judge Francis L. Baker of the Seventh United States Judicial Circuit Court to Issue Pref. Kingsbury's House-Prisoner temporary restraining order against the Finds the Walt Tedious While Police strikers here to prevent them from inter-Were Coming to Take Him Away. fering with the operations of the company

As a result the officers and members of the Amalgamated Association of Iron and Steel Workers and the International Protective Association of American Tir Plate Workers are being served with notices of the proceedings as fast as Arthur Cox, deputy United States Marshal, can find them. A number of the strikers got a tip from

some source, and this morning left the city to avoid service.

subdued by Mr. Gregg's heavy artillery, had all the fight taken out of him and was ready to do anything to get out of range of the ex-District Attorney's weapon.

"Can't you p'int that thing the other way?" inquired the captive as he sat waiting the arrival of the police.

"Nope," replied Gregg, and he proceeded to explain that the weapon was fitted with a hair trigger and he didn't like to have it accidentally go off in the direction of the throng in the street.

"Well." and the captured burglar wiped the perspiration from his face, "let us pray that the police get here in a hurry.

Prof. Kingsbury, who is instructor in English in the Elmhurst High School, lives on Lamont avenue one door from the corner of Fifth street. At about \$\mathbb{S}\$ o'clook yesterday morning George E. A hearing on the injunction proceedings

lives on Lamont avenue one door from the corner of Fifth street. At about 8 o'clock yesterday morning George E. Walters saw a well dressed, heavy built man carrying two big dress suit cases make several trips through the streets in the vicinity of the Kingsbury home. The stranger disappeared, and shortly afterward the curtains of the bay window of the house were pulled aside and a face cautiously peered out.

By this time a crowd had gathered near the house. Mr. Gregg, who lives around the corner on Fifth street, saw the crowd and asked what was the matter.

"Burglars! Get your gun." was the reply.

Mr. Gregg went into his house and emerged with his .44 calibre revolver just as the stranger went tripping lightly out of the front door of the Kingsbury home. He was intercepted by Wilfred C. Nott, a fireman, who wanted to know what he was doing in the house.

"Out of my way, fellow." returned the stranger as he shoved both hands against Nott, almost throwing him down. Gregg caught the man by the lapel of his coat, thrust the weapon in his face and held him up until the police came.

In the Newtown police station the prisoner said he was George Schmidt, 35 years old, a cook, living at 45 Wyckoff avenue, Ridgewood. Later he was arraigned before Magistrate Connolly in the Flushing police court and held in \$5.000 bonds.

Inspection of the Kingsbury home showed that thieves had been carrying bickets deserted their poddes and array in the strikers of the labor bodies became mpty.

A crisis developed last night when inflammatory circulars, printed in Pittsburg, were distributed among the strikers and posted in saloon windows. With the feeling among the strikers and posted in saloon windows. With the feeling among the strikers and posted in saloon windows. With the feeling among the strikers and posted in saloon windows. With the delim posted in saloon windows. With the feeling among the strikers and posted in saloon windows. With the delim posted in saloon windows. With the feeling among the strikers and posted in saloon of the workmen that they had been robbed by under officials nothing was accomplished. After this unsatisfactory session Judge Brown said:

"Much as we would like to settle the dispute we are powerless. We have no authority to compel a workingman to \$22 and \$25 values. work for the company or to compel the company to employ him or fix wage rates. These are matters purely the subject of contract between employer and employee. Nor have we authority to compel a settle-Hoxie against the New York, New Haven ment of the controversy by arbitration and Hartford Railroad Company an or to prevent the company from employopinion by the Supreme Court of Con-

person present appeared to vote with both hands when asked if they would remain on strike.

remain on strike.

In the meantime the company sent word that on August 1 all strikers would be evicted from their houses. By count 145 men returned to work to-day.

BUTLER, Pa., July 21.—Three-fourths of the 2,400 strikers who were last night ordered to return to work, the strike being declared off, to-day refused to go into the mills. The American workmen, who made up about one-fourth of the whole, returned to work to a man, though threatened by the foreigners.

NEW CASTLE, Pa., July 21.—Troop D of the State constabulary rode into town

of the State constabulary rode into town of the State constabulary rode into town this forenoon on a gallop and took charge of the mills of the American Sheet and Tin Plate Company, where a strike is on and where a party of strikebreakers were so badly beaten up yesterday. There were several clashes between the mounted men and the strikers, but no serious damage

APPRENTICES STRIKE TOO.

Lads Employed in Hoe Printing Press Place Follow Example of Journeymen.

The 400 apprentices in the printing \$12.50. on the following grounds:

Congress did not intend by the act to authorize the institution of an action under it in the courts of the States.

The 400 apprentices in the printing press factory of R. Hoe & Co., 504 Grand street, which has just made an agreement with the journeymen by which ment with the journeymen by which they receive on an average an increase in wages of \$1 a day, imitated the example of their elders and made a demand for au increase in wages of \$1.0s a week followed vesterday by a strike. The boys had an agreement with the firm made by their parents for them, as the firm did not care to make agreements with minors.

The boys were taught the trade by expert instructors who were paid by the firm and got a graduated scale of wages,

pert instructors who were paid by the firm and got a graduated scale of wages, increasing 50 cents a week every six months until the term of apprenticeship was over. They also got supper free every evening.

The journeymen are organized as the Eureka Lodge of the International Association of Machinists. When they asked for an increase of wages they also made a demand that the apprentices be limited to a certain number. This would have meant the throwing on the street of 150 apprentices. The demand about the apprentices was waived.

Meantime the apprentices were organized as the Junior Eureka Lodge of the association. The fact that their parents had made an agreement for them did not worry them. Those boys who did not care if they lost their jobs were elected as a committee to make the demand, which was refused. The firm yesterday had the idea that the strike was part of the apprenticeship fight of the journeymen.

OVERBOARD WHILE SPOONING.

John Force of Christopher street and Julia Retrieved From the Hudson by a Policeman.

John Force of Christopher street and Julia Betrieved From the Hudson by a probably at stringpiece of the wharf at Twenty-sixth as the proposal as the containing the men, excepting the strikers, back to work was therefore sweet music to many ears. The striking aligners, it is understood, will leave Ilion together and locate in the West, probably at Flint, Mich.

MUST EXPLAIN WALKOUT.

Julia Burns of Ninth avenue sat on a stringpiece of the wharf at Twenty-sixth street and North River on Tuesday night and listened to the gurgling tide. At least that is what John said he was lis-Policeman Martin of the West Twentieth

street police station was listening to nothing in particular when he was startled by a duet in crescendo terminating in a loud splash. When Martin arrived at the

e is ornaments, was mysteriously rered.

It was placed in the residence, though
o one knows how. The detectives have
ased investigating.

"I don't know, your Honor." he said.

The wind must have blown us off."

TIN STRIKERS ENJOINED. Court Orders That They Refrain From All Disorder.



W. L. Douglas Shoes are Better Value for the Price Than Ever Before The quality, workmanship and style cannot be excelled. A trial is all that is needed to convince anyone that W. L.

W·L·DOUGLAS

Douglas shoes hold their shape, fit better and wear longer than other makes. W. L. Douglas reputation for the best shoes that can be produced for the price is world-wide. He stands back

world-wide. He stands back of every pair and guarantees full value to the wearer.

• AUTION.—See that W. L. Donglas name and the retail price is stamped on the bottom. Take As substitute.

\$1.75 & \$7.00 Wherever you live, W. L. Douglas shoes are within your reach. If your dealer cannot fit you, write for

Mail Order Catalog. W. L. Douglas, Brockton, Mass. W. L. DOUGLAS SHOE STORES IN GREATER NEW YORK:

95 Nassau Street. 755 Broadway, cor. 8th St. 853 Broadway, cor. 14th St. 1349 Broadway, cor. 36th. 1437 Broadway, near 41st. 984 Third Ave., near 59thSt. 1452 Third Av., near 82d St. 2202 Third Ave., cor. 120th.

2779 Third Ave., between 146th and 147th Sts. 356 Sixth Ave., cor. 22d St.

It was such a fine big apple we cut yesterday, that there

The general revision of

2574 suits-most all of \$20,

\$15.

911 suits-most all \$25, \$28

Of course there are not so

Not to speak of extra values

We've just done something

Markeddown all their "Vest-

less' suits to \$12, \$14 and \$16.

\$18 and \$20, it's economical to

With all boys' Norfolk and

double breasted suits reduced

to \$6.50, \$8.50, \$10.50 and

Three Broadway Stores

ALIGNERS LOSE THEIR FIGHT!

Remington Typewriter Plant Resumes

Operations With New Hands.

UTICA, July 21.—The aligners employed

MUST EXPLAIN WALKOUT.

at

13th st.

34th st.

more for youths, sizes 32 to 35

many to-day, but still there are

prices on men's suits made \$15

and \$20 the popular prices.

Here's what did it.

and \$30 values.

sizes aplenty.

be slim.

bargains.

18

Warren st.

at other prices.

are lots more good bites and something to every taste.

- Marie Commercial Com

345 Eighth Avenue. 250 West 125th/Street.

BROOKLYN, N.Y. 421 Fulton Street, cor. Pearl. 708 Broadway, cor. Thornton. 1367 Broadway, cor. Gates Av. 478 Fifth Ave., cor. 11th St. Jersey City-18 Newark Av. Newark-785 Broad Street. Paterson-192 Market St.

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Pleated bosom. cutts attached. Some men will

Clearance 1.50 Pink Negligee Shirts

Pure Wool Swimming Suits, 1.98.

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JARDIN DE PARIS Atop N. Y. Theatre FOLLIES OF 1909 EVA TANGUAY Handsomest Chorus in the World. AERIAL GARDENS Over New Amsterdam Smok's & Refreshments, Conc'ts in Promenades.
A GENTLEMAN FROM MISSISSIPPI With Thos. A. Wise & Douglas Fairbanks

LYRIC 42d, W. of B'way, Eygs, 8:15.
Only Matinee Saturday, 2:15.
THE MOTOR GIRL, Julian Edwards

BROADWAY dist St. & B'way. Evgs. 8:15.
Only Matinee Saturday, 2:15.
The MIDNIGHT SORS with BLANCHE
RING. Fields. HERALD SQUARE & Sat. 2:15.
Jenerson De Angelis in THE BEAUTY SPOT Bys.

AMERICAN MUSIC ROOF NOW. GRACE LA RUE, JULIAN ELTINGE, CONSUL, ROSARIO GUERRERO, AND OTHERS. General Admis. 75c. Daily Mats. Downstairs 25-50c.

AMMERSTEIN'S ROOF. Evenings at 8:15.
Daily Mats.
in Victoria
Theatre.

GERTRUDE HOFFMANN,
ANNETTE KELLERMANN,
and Ten other big acts.

Even the boys in short trousers get in on the clothing BRIGHTON Gus Edwards, Hotel Laugh land, La Estellta, Gaston of Greene, Hallen & Fuller. JOE WEBER'S B'way & 29th St. Eve. 8:15

M. Weber THE CLIMAX NORTH BEACH FREE FIREWORKS TO-NIGHT

ROGERS PEET & COMPANY, PALISADES OPP. W. 130th St. (N. Y.) Ferry. CHILDREN'S CARNIVAL WEEK. EDEN WORLD IN WAX, Gypsy Music CINEMATOGRAPH Every Hour MUSEE FOTOFONE, Operatic Soloists, etc.

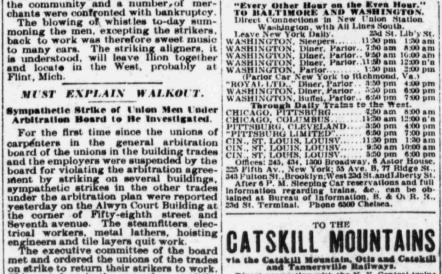
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BRIGHTONBEACHPARK PAIN'S BATTLE IN THE CLOUDS

GREA DREAMLAND TER DREAMLAND ENGREE CIRCUS—15 NEW ACTS. EVERYTHING NEW BUT THE GCEAN.

CONEY ISLAND'S GREAT ORIGINAL LUNA PARK Copied and Imitated Throughout the World, But Still Supreme for Summertime Fan.

Baltimore & Ohio Railroad ROYAL BLUE LINE TRAINS "Every Other Hour on the Even Hour."
TO BALTIMORE AND WASHINGTON.
Direct Connections in New Union States.



CATSKILL MOUNTAINS via the Catakill Mountain, Otis and Catakill and Tannersville Railways.

met and ordered the unions of the trades on strike to return their strikers to work. This was done in the case of some of the trades yesterday and all are expected to return the men to work to-day. The representatives of the unions whose members went on strike will be called before the board, it was announced, to explain why they allowed their members to strike.

The trades yesterday and all are expected to return the men to work to-day. The connection with the N. Y. Central trains leaving New York 7:54 and 11:11 A. M., dally, and the case of the unions whose members went on strike will be called before the board, it was announced, to explain why they allowed their members to strike.

The trades yesterday and all are expected to return the men to work to-day. The case of the unions whose members went on strike will be called before the day of the connection with the N. Y. Central trains leaving New York 7:54 and 11:11 A. M., dally, and the case of the unions whose members went on strike will be called before the members went on strike will be called before the members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members went on strike will be called before the unions whose members were the unions with the thirth and the unions was all the unions whose members will be calle

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DELIGHTFUL SHORT SEA TRIPS TO OLD POINT COMFORT, NORFOLK, RICHMOND, WASHINGTON, D. C., or BALTIMORE

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| POBERT FULTON." "ALBANY" and "MARY POWELL" of the Hudson River Day Line, fastest and finest river boats in the world. Live. Read Down. A M. P. M

like the colorall will like the price.

1.50 Pajamas at 85c suit.

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50c Socks, importer's samples, 24c.

75c Athletic Underwear at 39c.

Heavy Bathing Suits (2 pieces), 98c.

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Perfect Afternoon Outing. Leave Desbrosses St. 1:45 P. M., connecting at West Point with STR. ALBANY due West 42d St. 8:40 P. M. Orchestra on each steamer.

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NORWICH LINE Via Stonington. Lv. Pier 40. N. R., ft. Clarkson St., week days, 5:30 P. M. Pier 70. E. R., ft. E. 22d St., 6:30 P. M. Stra. CHESTER W. CHAPIN and CITY OF LOWELL. NEW BEDFORD LINE For New Bed ford. Woods Hole, Martha's Vineyard, Nantucket Maitapoisett, Marion and Cape Cod points. Leave Pier 40. North River, foot of Clarkson Sirect, week days only, at 6:30 P. M. Steamers MAINE and NEW HAMPSHIRE.

NEW HAVEN LINE For New Haven. Hartford, Springfield and North. Leave Pier 28. E. R., week days, 2:45 P. M.; Sundays, 9:30 A. M.; foot East 22d St., week days, 3:30 P. M.; Sundays. Tickets, staterooms and information at City Ticket Office, 171 Broadway, near Cortlandt St. Telephone 5:21 Cortlandt. Also at N. Y. Transfer and Tourist offices and at Piers.

Since all the youths' regular mixture suits are now at \$15, \$\frac{\text{KEITH & PROCTOR'S LOUISE DRESSER.}}{5TH AVE. Break Nelson & Co. Al Joison, Ancibuti's Mat. Daily, 25 & 50c. | Dog. Nonette. others. The Most Charming Short Sea Trip on the Atlantic Coast. Special \$7.00 Excursions

Ten-day, non-transferable excursion tickets from New York to Portland. Maine, and return for Seven Dollars. Sailings from New York, Mondays, Tues-days and Wednesdays at 10:00 A. M., Thurs-days, Pridays and Saturdays at 4:00 P. M., from Pier 20, Past River, New York, Tuesday, Wednesday & Saturday steamers. Tuesday, Stop at Martha's Vineyard.
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PEOPLES LINE TO ALBANY Steamers C. W. Morse or Adirondack leave New ork, week days and Sundays, Pler 32, N. R., foot anal St., at 6 p. m., West 129th St. at 6:30 p. m. CITIZENS LINE TO TROY

Magnificent new steamers Trojan or Rensselac ave New York, week days and Sundays, Ple J. N. R., foot West 10th St., at 6 p. m., and You Spiendid accommodations. Best service. Direct connection at Albany or Troy with trains for points North, East or West. Tickets and state-rooms secured at piers and principal ticket offices in Greater N. Y. Horses, carriages and automobiles carried at reasonable rates.

Express Freight Service. Quick Delivery.

J BOSTON Direct All-the-Way-by-Water Route.
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hips.
Leave Pier 45, N.R., near ft. Christopher St.,
New York. Week Days and Sundays 5 P. M., due
Boston 8 A. M., next day. Same schedule returning. Staterooms and through tickets to all
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N.Y. Transfer Co. offices in Greater N.Y. Folders
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VIA BOAT & RAIL Providence Direct, \$1.500| Worcester, \$2.40 Every week day, 5 P.M., from Pier 19, East River.

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Str. "Shinnecock" leaves N. Y., Fler 8,E.R., Tues & Thurs., 5:30 P. M. Sats., 1:00 P.M. Str. "Montauk" Mon., Wed. & Fri. for Sag Harbor and intermediate landings, 5:30 P. M. Runs through to Block Island on Fri. CATSKILL EVENING For Catakill Mountains, all points, Hud-son Coxsackie. Leave, week days, foot Christopher St., 6 P. M., foot W. 129th St., 7 P. M. Also Saturday "Special" 1 P. M., foot Christopher St., 1:20 P. M., foot W. 129th St. Summer resort directory free. Address Pier 45, N. R.

HARTFORD LINE From New Pier 19. East River, foot of Peck Slip, daily, except Sunday, at 5 P. M., for Connecticut River landings. Write for illustrated folder. Saugerties Boats Foot of Christopher St. Meek days 6 P. M. Saturdays 1 P. M. only

PAWNBROKERS' SALES.

L. L. FIRUSKI, Auet'r, 70 Bowery, at 10 A. M. July 28 M. Hirschberg; M. L. Goldstone July 28—Fine consignment jeweiry.
July 28—Levy & Cook, \$15 Hudson st., clothing THOS. B. LOVATT & SONS, Auctioneers, 220 So. 8th st., Phila., Ps. July 23—Rettew's Money Loan Office sells \$5,000 block of diamonds, watches and jeweiry.

ATLANTIC TRANSPORT LINE New York—London Direct—Pier 39, N. R. Minneapolis. July 24,10:30AM Minnewaska. Aug Minnetonka. ...July 31, 9 AM Minnehana. Aug RED STAR LINE From Pier 14. N. R.,

New York Dover Antwerp.

Vaderland July 24 Kroonland Aug. 7

Zeeland July 31 Lapland (new) ... Aug. 14 WHITE STAR LINE From Pler 48.

Decanic...Aug. 4, 9:30 AM Teutonic. Aug. 11,9:30 AM Decanic...Aug. 4, 9:30 AM Adriatic. Aug. 18, 9:30 AM NEW YORK & BOSTON 106 FFALY VIA Azores and Gibraltar.

Tetle... Aug. 4, 12 noon Romanic. Sept. 15, 11 AM PASSENGER OFFICE, 9 BROADWAT.

North German Lloyd

PLYMOUTH CHERBOURG BREMEN. Express Sallings Tuesdays at 10 A. M.
Wilhelm II. July 27 Cecille... Augroupring Wm. Aug. 3 Prinz Fried. With Aug.
PLYMOUTH - CHERBOURG-BREMEN. PLYMOUTH -CHERBOURG-BREMEN.
Twin Screw Sailings Thursdays at 10 A. M.
Friedrich d. Gr...July 22 [Washington....Aug. 5
Ruffuerst...July 22 [Washington...Aug. 5
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